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In The United States Patent and Trademark Office On Appeal from the Examiner to The Board of Patent Appeals and Interferences

In re Application of:

Larry Henry Steinhorst et al.

Serial No.:

10/609,332

Filing Date:

June 26, 2003

Group Art Unit:

2613

Confirmation No.:

7931

Title:

METHOD AND SYSTEM FOR UPGRADING A FIBER

OPTICS NETWORK

Mail Stop Appeal Brief - Patents

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Response to Notification of Noncompliant Appeal Brief

In response to the Notice of Non-Compliant Appeal Brief transmitted July 9, 2008, Appellants respectfully submit the following replacement section "Appendix B: Evidence" as requested by the Notice of Non-Compliant Appeal Brief. Favorable action is humbly requested.

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Appendix B: Evidence

NONE

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Although no other fees are believed to be due at this time, the Commissioner is hereby authorized to charge any additional fees and/or credit any overpayments to **Deposit Account**No. 02-0384 of Baker Botts LLP.

Respectfully submitted,

BAKER BOTTS L.L.P. Attorneys for Appellants

Bradley P. Williams Reg. No. 40,227

Date:

CORRESPONDENCE ADDRESS:

7/22/08

Customer No. **05073**